

Paralegals and Legal Assistants

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Significant Points

- While some paralegals train on the job, employers increasingly prefer graduates of postsecondary paralegal education programs; college graduates who have taken some paralegal courses are especially in demand in some markets.
- Paralegals are projected to grow faster than average, as law offices try to reduce costs by assigning them tasks formerly carried out by lawyers.
- Paralegals are employed by law firms, corporate legal departments, and various government offices and they may specialize in many different areas of the law.

Nature of the Work

While lawyers assume ultimate responsibility for legal work, they often delegate many of their tasks to paralegals. In fact, paralegals—also called legal assistants—continue to assume a growing range of tasks in the Nation's legal offices and perform many of the same tasks as lawyers. Nevertheless, they are still explicitly prohibited from carrying out duties which are considered to be the practice of law, such as setting legal fees, giving legal advice, and presenting cases in court.

One of a paralegal's most important tasks is helping lawyers prepare for closings, hearings, trials, and corporate meetings. Paralegals investigate the facts of cases and ensure that all relevant information is considered. They also identify appropriate laws, judicial decisions, legal articles, and other materials that are relevant to assigned cases. After they analyze and organize the information, paralegals may prepare written reports that attorneys use in determining how cases should be handled. Should attorneys decide to file lawsuits on behalf of clients, paralegals may help prepare the legal arguments, draft pleadings and motions to be filed with the court, obtain affidavits, and assist attorneys during trials. Paralegals also organize and track files of all important case documents and make them available and easily accessible to attorneys.

In addition to this preparatory work, paralegals also perform a number of other vital functions. For example, they help draft contracts, mortgages, separation agreements, and trust instruments. They also may assist in preparing tax returns and planning estates. Some paralegals coordinate the activities of other law office employees and maintain financial office records. Various additional tasks may differ, depending on the employer.

Paralegals are found in all types of organizations, but most are employed by law firms, corporate legal departments, and various government offices. In these organizations, they can work in many different areas of the law, including litigation, personal injury, corporate law, criminal law, employee benefits, intellectual property, labor law, bankruptcy, immigration, family law, and real estate. As the law has become more complex, paralegals have responded by becoming more specialized. Within specialties, functions often are broken down further so that paralegals may deal with a specific area. For example, paralegals specializing in labor law may deal exclusively with employee benefits.

The duties of paralegals also differ widely based on the type of organization in which they are employed. Paralegals who work for corporations often assist attorneys with employee contracts, shareholder agreements, stock-option plans, and employee benefit plans. They also may help prepare and file annual financial reports, maintain corporate minute books and record resolutions, and prepare forms to secure loans for the corporation. Paralegals often monitor and review government regulations to ensure that the corporation is aware of new requirements and it operates within the law.

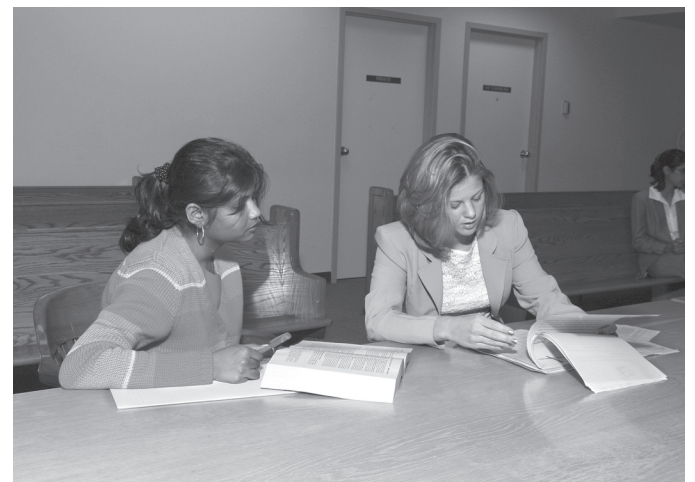
The duties of paralegals who work in the public sector usually vary within each agency. In general, they analyze legal material for internal use, maintain reference files, conduct research for attorneys, and collect and analyze evidence for agency hearings. They may then prepare informative or explanatory material on laws, agency regulations, and agency policy for general use by the agency and the public. Paralegals employed in community legal-service projects help the poor, the aged, and others in need of legal assistance. They file forms, conduct research, prepare documents, and when authorized by law, may represent clients at administrative hearings.

Paralegals in small and medium-sized law firms usually perform a variety of duties that require a general knowledge of the law. For example, they may research judicial decisions on improper police arrests or help prepare a mortgage contract. Paralegals employed by large law firms, government agencies, and corporations, however, are more likely to specialize in one aspect of the law.

Computer use and technical knowledge has become essential to paralegal work. Computer software packages and the Internet are increasingly used to search legal literature stored in computer databases and on CD-ROM. In litigation involving many supporting documents, paralegals may use computer databases to retrieve, organize, and index various materials. Imaging software allows paralegals to scan documents directly into a database, while billing programs help them to track hours billed to clients. Computer software packages also may be used to perform tax computations and explore the consequences of possible tax strategies for clients.

Working Conditions

Paralegals employed by corporations and government usually work a standard 40-hour week. Although most paralegals work



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year round, some are temporarily employed during busy times of the year, then released when the workload diminishes. Paralegals who work for law firms sometimes work very long hours when they are under pressure to meet deadlines. Some law firms reward such loyalty with bonuses and additional time off.

These workers handle many routine assignments, particularly when they are inexperienced. As they gain experience, paralegals usually assume more varied tasks with additional responsibility. Paralegals do most of their work at desks in offices and law libraries. Occasionally, they travel to gather information and perform other duties.

Employment

Paralegals and legal assistants held about 200,000 jobs in 2002. Private law firms employed 7 out of 10 paralegals and legal assistants; most of the remainder worked for corporate legal departments and various levels of government. Within the Federal Government, the U.S. Department of Justice is the largest employer, followed by the Social Security Administration and the U.S. Department of Treasury. A small number of paralegals own their own businesses and work as freelance legal assistants, contracting their services to attorneys or corporate legal departments.

Training, Other Qualifications, and Advancement

There are several ways to become a paralegal. The most common is through a community college paralegal program that leads to an associate's degree. The other common method of entry, mainly for those who have a college degree, is through a certification program that leads to a certification in paralegal studies. A small number of schools also offer bachelor's and master's degrees in paralegal studies. Some employers train paralegals on the job, hiring college graduates with no legal experience or promoting experienced legal secretaries. Other entrants have experience in a technical field that is useful to law firms, such as a background in tax preparation for tax and estate practice, criminal justice, or nursing or health administration for personal injury practice.

Formal paralegal training programs are offered by an estimated 600 colleges and universities, law schools, and proprietary schools. Approximately 250 paralegal programs are approved by the American Bar Association (ABA). Although this approval is neither required nor sought by many programs, graduation from an ABA-approved program can enhance one's employment opportunities. The requirements for admission to these programs vary. Some require certain college courses or a bachelor's degree; others accept high school graduates or those with legal experience; and a few schools require standardized tests and personal interviews.

Paralegal programs include 2-year associate's degree programs, 4-year bachelor's degree programs, and certificate programs that can take only a few months to complete. Most certificate programs provide intensive paralegal training for individuals who already hold college degrees, while associate's and bachelor's degree programs usually combine paralegal training with courses in other academic subjects. The quality of paralegal training programs varies; the better programs usually include job placement. Programs increasingly include courses introducing students to the legal applications of computers, including how to perform legal research using the Internet. Many paralegal training programs include an internship in which students gain practical experience by working for several months in a private law firm, office of a public defender or attorney

general, bank, corporate legal department, legal-aid organization, or government agency. Experience gained in internships is an asset when seeking a job after graduation. Prospective students should examine the experiences of recent graduates before enrolling in those programs.

Although most employers do not require certification, earning a voluntary certificate from a professional society may offer advantages in the labor market. The National Association of Legal Assistants, for example, has established standards for certification requiring various combinations of education and experience. Paralegals who meet these standards are eligible to take a 2-day examination, given three times each year at several regional testing centers. Those who pass this examination may use the designation Certified Legal Assistant (CLA). In addition, the Paralegal Advanced Competency Exam, established in 1996 and administered through the National Federation of Paralegal Associations, offers professional recognition to paralegals with a bachelor's degree and at least 2 years of experience. Those who pass this examination may use the designation Registered Paralegal (RP).

Paralegals must be able to document and present their findings and opinions to their supervising attorney. They need to understand legal terminology and have good research and investigative skills. Familiarity with the operation and applications of computers in legal research and litigation support also is increasingly important. Paralegals should stay informed of new developments in the laws that affect their area of practice. Participation in continuing legal education seminars allows paralegals to maintain and expand their legal knowledge.

Because paralegals frequently deal with the public, they should be courteous and uphold the ethical standards of the legal profession. The National Association of Legal Assistants, the National Federation of Paralegal Associations, and a few States have established ethical guidelines for paralegals to follow.

Paralegals usually are given more responsibilities and less supervision as they gain work experience. Experienced paralegals who work in large law firms, corporate legal departments, and government agencies may supervise and delegate assignments to other paralegals and clerical staff. Advancement opportunities also include promotion to managerial and other law-related positions within the firm or corporate legal department. However, some paralegals find it easier to move to another law firm when seeking increased responsibility or advancement.

Job Outlook

Paralegals and legal assistants are projected to grow faster than the average for all occupations through 2012. Some employment growth stems from law firms and other employers with legal staffs increasingly hiring paralegals to lower the cost and increase the availability and efficiency of legal services. The majority of job openings for paralegals in the future will be new jobs created by employment growth, but additional job openings will arise as people leave the occupation. Despite projections of fast employment growth, competition for jobs should continue as many people seek to go into this profession; however, highly skilled, formally trained paralegals have excellent employment potential.

Private law firms will continue to be the largest employers of paralegals, but a growing array of other organizations, such as corporate legal departments, insurance companies, real estate and title insurance firms, and banks hire paralegals. Corporations, in particular, are boosting their in-house legal departments

to cut costs. Demand for paralegals also is expected to grow as an increasing population requires legal services, especially in areas such as intellectual property, healthcare, international, elder issues, criminal, and environmental law. The growth of prepaid legal plans also should contribute to the demand for legal services. Paralegal employment is expected to increase as organizations presently employing paralegals assign them a growing range of tasks, and as paralegals are increasingly employed in small and medium-sized establishments. A growing number of experienced paralegals are expected to establish their own businesses.

Job opportunities for paralegals will expand in the public sector as well. Community legal-service programs, which provide assistance to the poor, aged, minorities, and middle-income families, will employ additional paralegals to minimize expenses and serve the most people. Federal, State, and local government agencies, consumer organizations, and the courts also should continue to hire paralegals in increasing numbers.

To a limited extent, paralegal jobs are affected by the business cycle. During recessions, demand declines for some discretionary legal services, such as planning estates, drafting wills, and handling real estate transactions. Corporations are less inclined to initiate certain types of litigation when falling sales and profits lead to fiscal belt tightening. As a result, full-time paralegals employed in offices adversely affected by a recession may be laid off or have their work hours reduced. On the other hand, during recessions, corporations and individuals are more likely to face other problems that require legal assistance, such as bankruptcies, foreclosures, and divorces. Paralegals, who provide many of the same legal services as lawyers at a lower cost, tend to fare relatively better in difficult economic conditions.

Earnings

Earnings of paralegals and legal assistants vary greatly. Salaries depend on education, training, experience, type and size of employer, and geographic location of the job. In general, paralegals who work for large law firms or in large metropolitan areas earn more than those who work for smaller firms or in less populated regions. In addition to a salary, many paralegals receive bonuses. In 2002, full-time, wage and salary paralegals and legal assistants had median annual earnings, including bonuses of \$37,950. The middle 50 percent earned between \$30,020 and \$48,760. The top 10 percent earned more than \$61,150, while the bottom 10 percent earned less than \$24,470. Median annual earnings in the industries employing the largest numbers of paralegals in 2002 were as follows:

Federal government	\$53,770
Legal services	36,780
Local government	36,030
State government	34,750

Related Occupations

Several other occupations call for a specialized understanding of the law and the legal system, but do not require the extensive training of a lawyer. These include law clerks; title examiners, abstractors, and searchers; claims adjusters, appraisers, examiners, and investigators; and occupational health and safety specialists and technicians.

Sources of Additional Information

General information on a career as a paralegal can be obtained from:

► Standing Committee on Legal Assistants, American Bar Association, 541 N. Fairbanks Ct., Chicago, IL 60611. Internet: <http://www.abanet.org>

For information on the Certified Legal Assistant exam, schools that offer training programs in a specific State, and standards and guidelines for paralegals, contact:

► National Association of Legal Assistants, Inc., 1516 South Boston St., Suite 200, Tulsa, OK 74119. Internet: <http://www.nala.org>

Information on a career as a paralegal, schools that offer training programs, job postings for paralegals, the Paralegal Advanced Competency Exam, and local paralegal associations can be obtained from:

► National Federation of Paralegal Associations, P.O. Box 33108, Kansas City, MO 64114. Internet: <http://www.paralegals.org>

Information on paralegal training programs, including the pamphlet "How to Choose a Paralegal Education Program," may be obtained from:

► American Association for Paralegal Education, 407 Wekiva Springs Road, Suite 241, Longwood, FL 32779. Internet: <http://www.aafpe.org>

Information on obtaining a position as a paralegal specialist with the Federal Government is available from the Office of Personnel Management (OPM) through a telephone-based system. Consult your telephone directory under U.S. Government for a local number or call (703) 724-1850; Federal Relay Service: (800) 877-8339. The first number is not tollfree, and charges may result. Information also is available from the OPM Internet site: <http://www.usajobs.opm.gov>.